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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

November 21, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:01 P.M.

INVOCATION

The Chairman presented Reverend Paul F. Thompson, Pastor of the Olney Street Baptist Church, Providence, and a member of the Human Relations Commission, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 80 present and 19 absent.

Absentees were Messrs. Appolonia, Beauchemin, Bevilacqua, Cooney, Cunningham, DeCiantis, Dodge, Fanning of Cumberland, Feeney, Gallagher, Gammino, Giguere, Jordan, Mrs. Lacroix, Messrs. LaFrance, Martin, Moon, Stapleton and Viall.

The names of the absentees were called.

On motion of Mr. DiLuglio, seconded by Messrs. McCabe and Corcoran, Mr. Ernest A. Foster was elected Secretary Pro Tem in the absence of the Secretary of the Convention unanimously.

On motion of Mr. Wexler, seconded by Messrs. Cote and Principe, the reading of the Journal of the previous day was dispensed on a voice vote.

By unanimous consent on suggestion of Mr. Murray, the order of business was suspended for the purpose of consideration of a resolution of sympathy on the death of Mr. William J. Champion, Jr., delegate from the City of Newport.

MOTIONS AND RESOLUTIONS

Mr. Chaharyn and many other delegates offered Resolution No. 34 (Sympathy on the Death of Mr. William J. Champion, Jr.).

The resolution was read.

Mr. Murray, seconded by Messrs. Principe, Vacca, Matzner, Pickard, Corcoran, Wrenn, McGrath, McCabe, Ricci, Bizier and Cote, moved passage of the resolution.

Tribute was paid to Mr. Champion.

The motion prevailed on a unanimous rising vote.

On suggestion of Mr. Murray, by unanimous consent, the Secretary was ordered to transmit a duly certified copy of the resolution to the family of the late Mr. Champion.

The Chairman welcomed as guests at the Convention a group of students from Providence College.

By unanimous consent the Report of the Chairman of the Committee of the Whole and Reference of Proposals after Second Reading were taken out of order.

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Chairman of the Committee of the Whole for October 10, 1966, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Mr. Corcoran, reading of the report was dispensed and the Convention proceeded to act thereon, on a voice vote.

The Chairman, as Chairman of the Committee of the Whole on October 10, 1966, presented the report of the Committee of the Whole to the Convention and action was taken thereon as follows:

"The Committee of the Whole meeting on October 10, 1966, considered Proposal No. 155, Substitute C, "Of Local Government"."

"The Committee on Local Government recommended adoption of the Substitute Proposal. On a division vote a motion to recommend adoption prevailed."

The proposal was referred to the Committee on Style and Drafting.

"The Committee considered Proposal No. 117, "Jury Trials"."

"The Committee on the Judiciary did not recommend adoption. On a division vote a motion to recommend rejection prevailed."

Mr. Wexler, seconded by Mr. Doris, moved that the proposal be rejected.

On a division vote the motion prevailed, 70 delegates voting in the affirmative and 1 delegate voting in the negative.

On motion of Mr. Cochran, the delegates extended a rising vote of appreciation to Reverend Thompson for his kindness in giving the Invocation.

"The Committee considered Proposal No. 121, "Attorney General"."

"The Committee on the Judiciary did not recommend. On a division vote a motion to recommend rejection prevailed."

Mr. Murphy of Tiverton, seconded by Messrs. Wexler and Lawrence, moved that the proposal be rejected.

On a division vote the motion prevailed, 71 delegates voting in the affirmative and 0 delegates voting in the negative.

"The Committee considered Proposal No. 123, "Judicial Power"."

"The Committee on the Judiciary did not recommend. On a division vote a motion to recommend rejection prevailed."

Mr. Bride, seconded by Mr. O'Donnell, moved that the proposal be rejected.

On a division vote the motion prevailed, 70 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 198, "Property Taken For Public Use"."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommit to the Committee on the Legislative Department prevailed."

Mr. Doris, seconded by Mr. Cochran, moved that the proposal be rejected.

On a division vote the motion prevailed, 68 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 208, "Legislative Voting"."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend adoption prevailed."

The proposal was referred to the Committee on Style and Drafting.

Also, "The Committee considered Proposal No. 209, "Reapportionment"."

"The Committee on the Legislative Department did not recommend. On

a division vote a motion to recommend rejection prevailed."

Mr. Cochran, seconded by Mr. Doris, moved that the proposal be rejected.

On a division vote the motion prevailed, 64 delegates voting in the affirmative and 0 delegates voting in the negative.

REFERENCE OF PROPOSAL AFTER SECOND READING

The Chairman announced that the following proposal was referred to the Committee on Style and Drafting after second reading and vote on passage by the Convention at its session on October 10, 1966:

Proposal No. 20, Substitute C "TERM AND ELECTION OF GENERAL OFFICERS"

Mr. Kagan announced that the Committee on Elections and Right to Vote would meet forthwith if the Convention would recess.

RECESS

At 2:30 P.M., the Convention recessed for a period of ten minutes.

ORDER

At 3:00 P.M., the Chairman again called the Convention to order.

REPORTS OF STANDING COMMITTEES

Mr. Murray, for the Committee on Rules and Credentials, reported back that the sponsors of the following proposals had been determined to be qualified electors and reported back for reference the following proposals:

Qualified Elector Proposal No. 10027. The proposal was referred to the Committee on the Legislative Department.

Qualified Elector Proposal No. 10028. The proposal was referred to the Committee on the Legislative Department.

Mr. Wexler, for the Committee on Style and Drafting, reported back that, by a vote of 10 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 155, Substitute D "Of Local Government"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler, for the Committee on Style and Drafting, reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 208 "Legislative Voting"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

SECOND READING OF PROPOSALS

In order for Second Reading were the following proposals:

Proposal No. 32, Substitute B "The Executive Power"
(The Committee on Style and Drafting recommends adoption.)

On suggestion of Mr. Wexler, by unanimous consent, it was ordered that the proposal be read section by section and that, unless objection was made, each section would be adopted by unanimous consent after consideration.

Section 1 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 2 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 3 of the proposal was read.

Mr. Gallogly, seconded by Mr. Murray, offered the following written motion to amend:

"I move to amend Section 3 of Proposal No. 32, Substitute B, as recommended by the Committee on Style and Drafting by striking the words 'in such manner as shall be provided by law' and substituting therefor the words, 'with the advice and consent of the Senate'."

Edward P. Gallogly

The motion was read.

The motion was debated.

On a division vote the motion to amend prevailed, 53 delegates voting in the affirmative and 2 delegates voting in the negative.

Mr. Pickard, seconded by Mr. Nathanson, offered the following written motion to amend:

"I move to amend Section 3 of Proposal No. 32, Substitute B, by adding at the end of the first sentence thereof the following: 'and further excepting those otherwise appointed under law in force at the time of adoption of this Constitution who shall be appointed in such manner as may be provided from time to time by law'."

Robert F. Pickard

The motion was read.

On a division vote the motion to amend did not prevail, 4 delegates voting in the affirmative and 42 delegates voting in the negative with more than 5 delegates present and not voting.

On motion of Mr. Gallogly, seconded by Messrs. Wexler and Sherry, the section as amended was adopted by unanimous consent.

Section 4 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 5 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 6 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 7 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 8 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 9 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 10 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 11 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 12 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Section 13 of the proposal was read.

On motion of Mr. Wexler, seconded by Mr. Gallogly, the section was adopted by unanimous consent.

Mr. Wexler, seconded by Mr. Gallogly, moved that the proposal be adopted as amended.

On a roll call vote the motion prevailed, 56 delegates voting in the affirmative, 1 delegate voting in the negative and 42 delegates absent or not voting as follows:

AYES - 56

Mrs. Jane H. Barber-Westerly	Samuel J. Kanakry-Pawtucket
Arthur A. Belhumeur-Central Falls	Bradford H. Kenyon-West Greenwich
Norman E. Bizier-Central Falls	Mrs. Demetra Lambros-Providence
Thomas H. Bride-Warwick	John W. Laporte-Burrillville
Domenic C. Canna-Bristol	Frederick A. Lawrence-Providence
Eugene F. Cochran-Providence	Edward P. Manning-Cumberland
Miss Elaine C. Colaneri-Providence	William I. Matzner-Providence
Edward B. Corcoran-Middletown	Vincent P. McKinnon-Pawtucket
Osias Cote-Pawtucket	Donald E. McKiernan-Providence
Lloyd R. Crandall-Hopkinton	Edward J. Mulligan-Central Falls
Robert J. Delehanty-Newport	William F. Murphy-Tiverton
Domenic A. DiSandro, Jr.-Narra.	Paul F. Murray-Newport
Harry J. Dyl-Central Falls	Charles Nathanson-Warwick
Edward M. Dolbashian-Portsmouth	Robert S. Ortoleva-Providence
Stephen A. Fanning, Jr.-Providence	John A. Parrillo-Providence
Paul F. Fontaine-Woonsocket	Anthony F. Principe-Bristol
Ernest A. Foster-Pawtucket	Hugo L. Ricci-Providence
Mrs. Millicent S. Foster-N.Kingstown	Dennis J. Roberts-Providence
Edward P. Gallogly-Providence	Augusto W. SaoBento-East Providence
Robert B. Gates-South Kingstown	Owen V. Sherry-North Smithfield
William J. Gmelin-Charlestown	Howard R. Smart, Jr.-Lincoln
Fulda E. Geoffroy-West Warwick	Bradley L. Steere-East Providence
Anthony Giangiacomo-Providence	John J. Toolin-Richmond
Bradford Gorham-Foster	Anthony Vacca-Smithfield
John Gorham-Scituate	David D. Warren-North Providence
George D. Greenhalgh-Glocester	Edmund Wexler-Providence
Mrs. A. Marion Hager-Cranston	Grafton H. Willey, III-Barrington
Samuel C. Kagan-Providence	John J. Wrenn-Providence

NOES - 1

Robert F. Pickard - East Greenwich

ABSENT OR NOT VOTING - 42

Felix A. Appolonia-West Warwick	Noel A. Giguere-Woonsocket
Vincent J. Baccari-Providence	Raymond E. Jordan-Pawtucket
Roger A. Beauchemin-Pawtucket	Mrs. Jeannette M. Lacroix-Lincoln
Joseph A. Bevilacqua-Providence	August P. LaFrance-Pawtucket
Adrien Bissonnette-Woonsocket	John F. Lallo-Westerly
Jeremiah H. Cannon-Providence	A. Norman LaSalle-Warwick
Mrs. Claire Capuano-Woonsocket	Epifanio F. Macari-Cranston
Mrs. Aurora Castiglia-Cranston	Frank A. Martin, Jr.-Pawtucket
Orist D. Chaharyn-Woonsocket	Francis H. McCabe-Pawtucket
David J. Colbert, Jr.-Cranston	Thomas F. McGrath-Providence
Kevin K. Coleman-Woonsocket	Arthur Merolla-Providence
John P. Cooney, Jr.-Providence	Edwin J. Moon-Exeter
Matthew C. Cunningham-Pawtucket	James E. Murphy-Warren
Michael DeCiantis-West Warwick	James F. Murphy-Coventry
Thomas R. DiLuglio-Johnston	Francis P. O'Donnell-Providence
John C. Dodge-New Shoreham	Mrs. Nuala O'D. Pell-Newport
John F. Doris-Woonsocket	Antonio Prince-Woonsocket
Stephen A. Fanning=Cumberland	Thomas D. Pucci-Providence
William A. Feeney-East Providence	Mrs. Theresa F. Pulner-Cranston
James A. Gallagher-Jamestown	Alfred B. Stapleton-Little Compton
Michael A. Gammino, Jr.-Providence	Charles C. Viall-East Providence

ADJOURNMENT

At 4:14 P.M. on motion of Mr. Doris, seconded by Mr. Cote, and as a further mark of respect to the memory of the late Mr. Champion, the Convention adjourned to meet on Monday, November 28, 1966, at 1:30 P.M. in the Chamber of the House of Representatives at the State House, on a unanimous rising vote.

August P. LaFrance, Secretary
Constitutional Convention